

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Faith S. Hochberg
v. : Criminal No. 08-821 (FSH)
ALEXEY ZAPOLSKY : SCHEDULING AND CONTINUANCE ORDER

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Lee D. Vartan, Assistant U.S. Attorney), and defendant Alexey Zapolsky (by Robert Waddington, Esq.), for an order setting the briefing and trial schedules in this matter and for an order granting a continuance of the proceedings in this matter:

IT IS ORDERED that defendant shall file any motions no later than August 24, 2009;

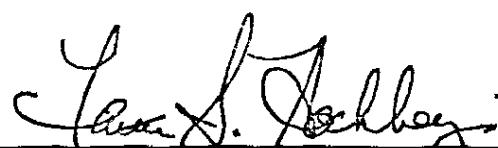
IT IS FURTHER ORDERED that any reply to defendant's motions shall be filed no later than September 28, 2009;

IT IS FURTHER ORDERED that argument of any motions filed shall be October 16, 2009, be on a date and time to be set by the Court;

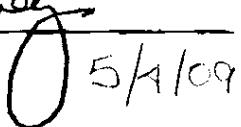
IT IS FURTHER ORDERED that the trial in this matter is set for October 26, 2009; and

IT IS FURTHER ORDERED that the period from May 2, 2009 through October 26, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974 because: (1) the parties are preparing to engage in preliminary discussions concerning entering into a plea agreement, and the defendant desires additional time to review discovery, and both the United

States and the defendant seek additional time to pursue such discussions, which may render trial of this matter unnecessary; (2) the defendant has consented to the continuance; (3) the grant of a continuance will likely conserve judicial resources; and (4) pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

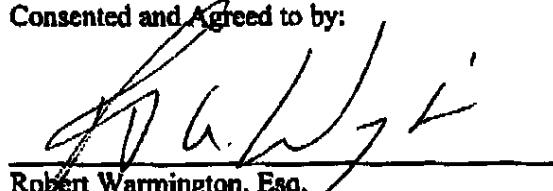


HON. FAITH S. HOCHBERG
United States District Judge

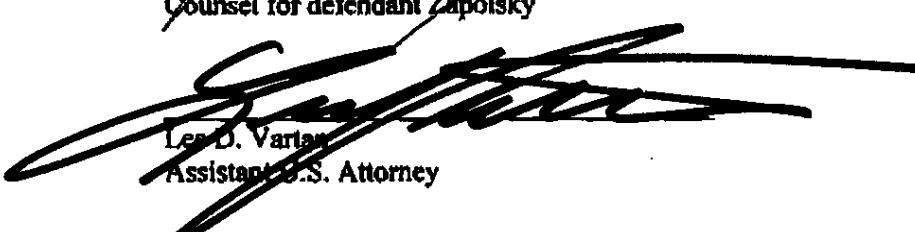


5/4/09

Consented and Agreed to by:



Robert Warmington, Esq.
Counsel for defendant Zapolsky



Leo D. Varian
Assistant U.S. Attorney